1 RONALD K. ALBERTS, ESQ. (SBN 100017) BERGER KAHN 2 A Law Corporation Mail Service: 3 Post Office Box 92621 Los Angeles, CA 90009-9998 4 Location: 4215 Glencoe Avenue, 2<sup>nd</sup> Floor 5 Marina del Rey, CA 90292-5634 Tel: (310) 821-9000 • Fax: (310) 578-6178 6 7 Attorneys for Defendant AETNA LIFE INSURANCE COMPANY 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 11 12 NINA HAWKER, CASE NO. C 04 5216 EDL JUDGE: Elizabeth D. Laporte Los Angeles, CA 90009-9998 13 Plaintiff, 4 Law Corporation P.O. Box 92621 BERGER KAHN 14 STIPULATION FOR CONTINUANCE VS. OF CASE MANAGEMENT 15 **CONFERENCE AETNA LIFE INSURANCE** COMPANY, and DOES 1 THROUGH 16 100, INCLUSIVE, 17 Defendants. 18 19 20 21 22 23 Both Plaintiff Nina Hawker and Defendant Aetna Life Insurance Company request that this Court continue the Case Management Conference, currently scheduled for 24 September 30, 2005, at 10:00 a.m., to December 6, 2005, at 3 p.m., or another date 25 convenient with the Court's calendar. The parties have had additional settlement 26 27 discussions and request additional time in order to resolve certain pending issues. It is 28 1 54700 stipulation(3).doc

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1	anticipated that these issues may be resolved, and perhaps the case resolved in its
2	entirety, should the requested continuance be granted.
3	
4	DATED: September 28, 2005 Greene & Mayer
5	
6	/C / AT ANIM MASZED
7	/S/ ALAN M. MAYER ALAN M. MAYER
8	Attorney for Plaintiff NINA HAWKER
9	DATED: September 28, 2005  BERGER KAHN A Law Company ion
10	A Law Corporation
11	/S/ RONALD K. ALBERTS
12	RONALD K. ALBERTS
13	Attorney for Defendant AETNA LIFE INSURANCE COMPANY
14	
15	Upon request of both parties and good cause appearing for the requested
16	continuance,
17	IT IS HEREBY ORDERED that the Case Management Conference, currently set
18	for September 30, 2005, at 10:00 a.m., is continued to December 6, 2005, at 3 p.m.
19	STATES DISTRICT COL
20	DATED:September 30 2005
21	Elizabeth D. Laporte Leporte L
22	United States At the Court Northern District of California
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	54700 stipulation(3).doc 2

BERGER KAHN
A Law Corporation
P.O. Box 92621
Los Angeles, CA 90009-9998

## BERGER KAHN A Law Corporation P.O. Box 92621 Los Angeles, CA 90009-9998

## AFFIDAVIT AND DECLARATION OF PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within action. I am employed by Berger Kahn, A Law Corporation, whose business address is: 4215 Glencoe Avenue, 2nd Floor, Marina del Rey, California 90292 ("the firm").

On September 29, 2005, I served the within document(s) described as: **Stipulation for Continuance of Case Management Conference** on the interested parties in this action by placing true copy(ies) thereof enclosed in sealed envelope(s) addressed as follows:

Alan M. Mayer, Esq. MAYER & GREENE 1120 Nye Street, Suite 200 San Rafael, CA 94901 (415) 457-4082 (415) 457-6439 (fax)

BY MAIL(C.C.P. § 1013(a))—I deposited such envelope(s) for processing in the mail room in our offices. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Marina del Rey, California, in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I am "readily familiar" with the firm's practice of collection and processing of correspondence for service with said overnight mail service. It is deposited with said overnight mail service on that same day in the ordinary course of business. I am aware that, on motion of a party served, service is presumed invalid if the said overnight delivery service cancellation date or delivery date on the overnight delivery service slip is more than one day after the date of deposit with said overnight delivery service contained in this affidavit.

(Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on September 29, 2005, at Marina del Rey, California.

/S/ KAREN WILLIAMS KAREN WILLIAMS